

House File 2162 - Introduced

HOUSE FILE 2162

BY KRESSIG

A BILL FOR

1 An Act concerning penalties for awarding cash prizes for the
2 use of electrical or mechanical amusement devices.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 99B.10B, subsection 2, Code 2011, is
2 amended to read as follows:

3 2. a. A person who commits a first offense of awarding
4 a cash prize of twenty-five dollars or less in violation of
5 section 99B.10, subsection 1, paragraph "b", pursuant to rules
6 adopted by the department, shall be subject to a civil penalty
7 in the amount of five hundred dollars.

8 b. A person who commits, within two years, a second offense
9 of awarding a cash prize of twenty-five dollars or less in
10 violation of section 99B.10, subsection 1, paragraph "b", or a
11 person who commits a first offense of awarding a cash prize of
12 more than twenty-five dollars in violation of section 99B.10,
13 subsection 1, paragraph "b", pursuant to rules adopted by the
14 department, shall be subject to the following:

15 (1) The department shall revoke a registration issued to
16 the person pursuant to section 99B.10 or 99B.10A, for a period
17 of ten years if a person commits an offense of awarding a cash
18 prize in violation of section 99B.10, subsection 1, paragraph
19 "b", pursuant to rules adopted by the department. A

20 (2) If the person whose registration is revoked under this
21 subsection who paragraph "b", is a person for which a class "A",
22 class "B", class "C", special class "C", or class "D" liquor
23 control license has been issued pursuant to chapter 123, shall
24 have the person's liquor control license shall be suspended for
25 a period of fourteen days in the same manner as provided in
26 section 123.50, subsection 3, paragraph "a". A

27 (3) If the person whose registration is revoked under this
28 subsection who paragraph "b", is a person for which only a
29 class "B" or class "C" beer permit has been issued pursuant to
30 chapter 123, shall have the person's class "B" or class "C"
31 beer permit shall be suspended for a period of fourteen days
32 in the same manner as provided in section 123.50, subsection
33 3, paragraph "a".

34 ~~b.~~ (4) If a person owning or employed by an establishment
35 having a class "A", class "B", class "C", special class "C",

1 or class "D" liquor control license issued pursuant to chapter
2 123 commits an offense ~~of awarding a cash prize in violation of~~
3 ~~section 99B.10, subsection 1, paragraph "b", pursuant to rules~~
4 ~~adopted by the department~~ as provided in this paragraph "b", the
5 liquor control license of the establishment shall be suspended
6 for a period of fourteen days in the same manner as provided in
7 section 123.50, subsection 3, paragraph "a".

8 (5) If a person owning or employed by an establishment
9 having a class "B" or class "C" beer permit issued pursuant to
10 chapter 123 ~~awards a cash prize in violation of section 99B.10,~~
11 ~~subsection 1, paragraph "b", pursuant to rules adopted by the~~
12 ~~department~~ commits an offense as provided in this paragraph
13 "b", the beer permit of the establishment shall be suspended
14 for a period of fourteen days in the same manner as provided in
15 section 123.50, subsection 3, paragraph "a".

16 EXPLANATION

17 This bill concerns the penalties applicable to a person who
18 awards a cash prize for the use of an electrical or mechanical
19 amusement device in violation of Code section 99B.10(1)(b).
20 The bill provides that if the cash prize awarded in violation
21 of this provision is \$25 or less, the penalty shall be a \$500
22 civil penalty. Current penalties applicable to any awarding of
23 a cash prize in violation of this provision are made applicable
24 to a second violation of awarding a cash prize of \$25 or less
25 within two years or to a first violation of awarding a cash
26 prize of more than \$25. Penalties for these violations include
27 revocation of the registration authorizing an electrical or
28 mechanical amusement device as well as a 14-day suspension of
29 an applicable liquor control license or beer permit.